

Donna J. McCready
Friedman, Rubin & White
1126 Highland Avenue
Bremerton, WA 98337
Telephone: (360) 782-4300
Facsimile: (360) 782-4358
E-mail: dmccready@frwlaw.us

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

| | |
|--------------------------------------|---|
| KIMBERLY ALLEN, Personal |) |
| Representative of the Estate of TODD |) Case No. 3:04-CV-0131-JKS |
| ALLEN, Individually, on behalf of |) |
| the Estate of TODD ALLEN, and on |) NON-OPPOSITION TO UNITED STATES' |
| behalf of the Minor Child, PRESLEY |) MOTION ON SHORTENED TIME AND |
| GRACE ALLEN, |) OPPOSITION TO UNITED STATES' |
| |) MOTION FOR A CONTINUANCE OF |
| Plaintiff, |) ORAL ARGUMENT ON DAMAGES |
| |) |
| vs. |) |
| |) |
| UNITED STATES OF AMERICA, |) |
| |) |
| Defendant. |) |
| |) |

Counsel for plaintiff non-opposes the United States' Motion on Shortened Time but opposes its Motion for a Continuance of Oral Argument on Damages.

1 Counsel objects based on the understanding that if there is a delay, it would be at least a
2 one month delay. On that basis, counsel for plaintiff objects to continuing the hearing.
3 Counsel is prepared to argue the non-economic damages issue on August 30, 2007.

4 If the hearing cannot be held on August 30, the undersigned suggests that the Court
5 decide the non-economic damages issue based on *existing* briefing. Counsel does object to
6 additional briefing.

7 FRIEDMAN RUBIN & WHITE
Counsel for Plaintiffs

8
9 By: /s/ Donna J. McCready

10 1126 Highland Avenue
11 Bremerton, Washington 98337
12 Telephone: (360) 782-4300
Facsimile: (360) 782-4358
E-mail: dmccready@frwlaw.us
Alaska Bar No. 9101003

13 **CERTIFICATE OF SERVICE**

14 I certify that on the 29 August 2007, a copy of the foregoing was served electronically on:

15 Gary M. Guarino
16 Assistant U.S. Attorney
Office of the U. S. Attorney
222 W. 7th Ave., #9
17 Anchorage, AK 99513-7567

18 /s/ Donna J. McCready

19 W:\Allen v. USA\PLED\Opp to USA's Motion to Continue OA on Damages (070829).doc